

## **CHAPTER 8**

### **TRAFFIC AND PARKING**

#### **Section 801. Traffic and Parking Regulations**

- a) The Town Manager is authorized and has the responsibility to implement via regulation temporary or permanent traffic controls, parking restrictions, and road closures on the Town's streets and lands as required to
  - (1) assure the public good, safety, and convenience;
  - (2) facilitate road or utility construction, maintenance, and repair;
  - (3) assist in the provision of public services such as trash and recycling collection, street cleaning, leaf removal, vegetation management, or emergency services in the Town right – of – way;
  - (4) enable construction, maintenance and repair in the Town right – of – way;
  - (5) accommodate weather conditions and special events.
- b) The Town Manager shall prepare in writing proposed regulations or amendments to previously published regulations for permanent traffic or parking restrictions or street closures. The Town Manager shall circulate the proposed regulations to the Mayor and the members of the Town Council and shall provide public notice of the proposed regulations. The proposed regulations shall take effect one week following such public notice unless a councilmember requests that the proposed regulation be discussed at the next regular Town Council meeting. The Town Council may by majority vote direct the Town Manager to modify or delete any or all of the proposed regulations. The Town Manager shall codify and make available to the public all regulations.
- c) The Town Manager shall exercise his discretion to regulate traffic or parking temporarily should public safety, an emergency or short term temporary events so require.
- d) The Town Manager shall erect as appropriate traffic control and parking signs and/ or other devices to implement such regulations and to the extent practicable, shall post notices of temporary parking or traffic restrictions or closures by signage on streets and areas affected. (Ord. 2017-5: 06/12/2017)

#### **Section 802. Enforcement**

- a) The Town Manager and his or her designees shall have the authority to enforce permanent parking restrictions by issuing citations to the vehicles of violators. The Town Manager shall have the authority to enforce temporary parking regulations by having vehicles that are in violation of such restrictions towed to a location as close to its original location as possible within the Town. At the Town

Manager's discretion, the expense of such towing may be borne by the Town or may be charged to the owner of obstructing vehicle.

- b) The Town Manager shall prepare in writing a proposed schedule of fines for violation of permanent traffic control and parking restrictions. Such violations shall constitute municipal infractions.
- c) The Town Manager shall promptly circulate the proposed schedule of fines to the Mayor and the members of the Town Council and shall provide public notice of the proposed schedule of fees. The proposed schedule of fines shall take effect one week following publication of such public notice unless a councilmember requests that the proposed schedule of fines be discussed at the next regular Town Council meeting. The Town Council may by majority vote direct the Town Manager to modify the fines. The Town Manager shall codify and make available to the public the schedule of fines. (Ord. 2017-5: 06/12/2017)

### **Section 803. Parking of Commercial Vehicles**

No commercial vehicle, truck, conveyance, trailer, or bus may be parked on the streets of the Town, except when actually loading or unloading merchandise, or when the operator or owner of such vehicle is actually engaged in rendering a service at or to premises. Violation of this Section is declared to be a municipal infraction. The penalty for violation shall be \$25 for each initial offense and \$50 for each repeat offense. (Ord. 2017-5: 06/12/2017)

### **Section 804. Speed of Motor Vehicles**

No person shall drive a vehicle on a street under the jurisdiction of the Town at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards existing. In every event, speed shall be controlled as necessary to avoid colliding with any person, vehicle, or other conveyance on or entering such streets in compliance with legal requirements and the duty of all persons to use due care; provided, however, that no person shall under any circumstances drive a vehicle on said streets at a speed greater than 20 miles per hour.

[Ord. 2006-04: 01/08/2007, Ord. 2017-5: 06/12/2017]

### **Section 805. Motor Vehicles and Traffic**

- (A) Adoption of specific sections of Chapter 31 of the Montgomery County Code, as amended. Sections 31-1, 31-2, 31-S(a), 31-7, 31-8, 31-9, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-17, 31-18, 31-19, 31-20, 31-21, 31-23, 31-25, 31-26(A), 31-31, 31-48, 31-56, 31-57, 31-58, 31-59, 31-60, 31-61, 31-66, and 31-67 of Chapter 31, entitled "Motor Vehicle and Traffic" of the Montgomery County Code (2004), as amended, are hereby incorporated by reference and adopted to be applicable within the boundaries of the Town of Garrett Park, subject to the following amendments and deletions:

(i) Amendments. Whenever in Articles I through 6 and Article 8 of Chapter 31 the terms "County", "County Executive" or "Executive" are used, such terms are amended and shall be deemed to mean and refer to the Mayor of the Town of Garrett Park and the Council of the Town of Garrett Park, as appropriate. Whenever in Chapter 31 the term "County", when used in its geographic sense, is used, such term is amended and shall be deemed to mean and refer to the corporate limits of the Town of Garrett Park.

(B) Amendments to Chapter 31 of the Montgomery County Code.

All amendments to the sections of Chapter 31 of the Montgomery County Code delineated in Paragraph (A) above, which are hereinafter enacted shall become effective within the Town of Garrett Park upon the effective date thereof, unless a resolution shall have been adopted by the Town of Garrett Park Council disapproving such amendments.

(C) Council Resolutions and Executive Regulations. All Montgomery County Council resolution and executive regulations with respect to the sections of Chapter 31 of the Montgomery County Code delineated in Paragraph (A) above, now adopted by the County Council or County Executive for Montgomery County pursuant to the authority contained in Chapter 31 of the Montgomery County Code, as amended, are hereby incorporated by reference and adopted to be effective within the boundaries of the Town of Garrett Park.

(D) Amendments to County Council Resolution and Executive Regulations.

All future amendments to County Council resolutions and executive regulations with respect to the sections of Chapter 31 of the Montgomery County Code delineated in Paragraph (A) above, hereafter adopted by the County Council or Executive for Montgomery County pursuant to the authority contained in Chapter 31 of the Montgomery County Code (2004) shall become effective within the boundaries of the Town of Garrett Park upon the effective date thereof, unless a resolution shall have been adopted by the Town of Garrett Park Council disapproving such resolution, regulations or amendments

[Ord. 2006-04: 01/08/2007, Ord. 2017-5: 06/12/2017, Ord 2019-1)